

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-06066-PGG**

Osen LLC v. United States Department of Commerce, Bureau of Industry and Security
Assigned to: Judge Paul G. Gardephe
Cause: 05:552 Freedom of Information Act

Date Filed: 07/03/2018
Date Terminated: 07/02/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Osen LLC**

represented by **Michael Jacob Radine**
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V.

Defendant

**United States Department of
Commerce, Bureau of Industry and
Security**

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Date Filed	#	Docket Text
07/03/2018	<u>1</u>	COMPLAINT against United States Department of Commerce, Bureau of Industry and Security. (Filing Fee \$ 400.00, Receipt Number 0208-15283767) Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Friedman, William) (Entered: 07/03/2018)
07/03/2018	<u>2</u>	CIVIL COVER SHEET filed. (Friedman, William) (Entered: 07/03/2018)
07/03/2018	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Osen LLC.(Friedman, William) (Entered: 07/03/2018)
07/03/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Dept. of Commerce, Bureau of Industry and Security, re: <u>1</u> Complaint,. Document filed by Osen LLC. (Friedman, William) (Entered: 07/03/2018)
07/05/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Paul G. Gardephe. Please download and review the Individual

		Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (vf) (Entered: 07/05/2018)
07/05/2018		Magistrate Judge Debra C. Freeman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (vf) (Entered: 07/05/2018)
07/05/2018		Case Designated ECF. (vf) (Entered: 07/05/2018)
07/05/2018	<u>5</u>	NOTICE OF APPEARANCE by Michael Jacob Radine on behalf of Osen LLC. (Radine, Michael) (Entered: 07/05/2018)
07/05/2018	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Commerce, Bureau of Industry and Security. (vf) (Entered: 07/05/2018)
07/06/2018	<u>7</u>	NOTICE OF PRETRIAL CONFERENCE: Initial Conference set for 11/8/2018 at 10:30 AM in Courtroom 705, 40 Centre Street, New York, NY 10007 before Judge Paul G. Gardephe. (As further set forth in this Order.) (Signed by Judge Paul G. Gardephe on 7/6/2018) (cf) (Entered: 07/06/2018)
07/25/2018	<u>8</u>	AFFIDAVIT OF SERVICE (FOIA CASE). United States Department of Commerce, Bureau of Industry and Security served on 7/10/2018, answer due 8/9/2018. Service was accepted by Haojin Li, Legal Clerk. Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Friedman, William) (Entered: 07/25/2018)
08/15/2018	<u>9</u>	LETTER MOTION for Extension of Time to File Answer addressed to Judge Paul G. Gardephe from Monica P. Folch dated August 15, 2018. Document filed by United States Department of Commerce, Bureau of Industry and Security.(Folch, Monica) (Entered: 08/15/2018)
08/16/2018	<u>10</u>	ANSWER to <u>1</u> Complaint,. Document filed by United States Department of Commerce, Bureau of Industry and Security.(Folch, Monica) (Entered: 08/16/2018)
08/23/2018	<u>11</u>	ORDER granting <u>9</u> Letter Motion for Extension of Time to Answer re <u>1</u> Complaint,. The Application is granted. SO ORDERED. (United States Department of Commerce, Bureau of Industry and Security answer due 8/16/2018.) (Signed by Judge Paul G. Gardephe on 8/23/18) (yv) (Entered: 08/27/2018)
11/01/2018	<u>12</u>	JOINT LETTER addressed to Judge Paul G. Gardephe from William A. Friedman and Monica P. Folch dated November 1, 2018 re: the Court's Notice of Pretrial Conference dated July 6, 2018. Document filed by Osen LLC.(Friedman, William) (Entered: 11/01/2018)
11/13/2018	<u>13</u>	ORDER: Initial Conference set for 11/15/2018 at 10:30 AM in Courtroom 705 of the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, NY 10007 before Judge Paul G. Gardephe. (Signed by Judge Paul G. Gardephe on 11/13/2018) (mro) (Entered: 11/13/2018)
11/14/2018	<u>14</u>	ORDER: It is hereby ORDERED that the initial pretrial conference previously scheduled for Thursday, November 15, 2018 is adjourned sine die. It is further ORDERED that the following schedule shall apply to the parties' cross-motions for summary judgment: 1. The parties' motions are due November 29, 2018; 2. Oppositions are due December 13, 2018; 3. Replies, if any, are due December 20, 2018. (Motions due by 11/29/2018., Responses due by 12/13/2018, Replies due by 12/20/2018.) (Signed by Judge Paul G. Gardephe on 11/14/2018) (cf) (Entered: 11/14/2018)
11/21/2018	<u>15</u>	LETTER MOTION for Extension of Time <i>to file summary judgment motions</i> addressed to Judge Paul G. Gardephe from Monica P. Folch dated November 21, 2018. Document filed by United States Department of Commerce, Bureau of Industry and Security.(Folch, Monica) (Entered: 11/21/2018)

11/26/2018	<u>16</u>	ORDER granting <u>15</u> Letter Motion for Extension of Time. The Application is granted. Cross Motions due by 1/28/2019. Motions due by 1/14/2019. (Signed by Judge Paul G. Gardephe on 11/26/2018) (mro) (Entered: 11/26/2018)
11/26/2018		Set/Reset Deadlines: Responses due by 2/11/2019 Replies due by 2/18/2019. (mro) (Entered: 11/26/2018)
12/27/2018	<u>17</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (jca) (Entered: 01/02/2019)
12/27/2018		Case Stayed (jca) (Entered: 01/14/2019)
02/06/2019	<u>18</u>	LETTER MOTION for Extension of Time addressed to Judge Paul G. Gardephe from Monica P. Folch dated February 6, 2019. Document filed by United States Department of Commerce, Bureau of Industry and Security.(Folch, Monica) (Entered: 02/06/2019)
02/07/2019	<u>19</u>	ORDER granting <u>18</u> Letter Motion for Extension of Time. SO ORDERED. Cross Motions due by 3/18/2019. Motions due by 3/4/2019. (Signed by Judge Paul G. Gardephe on 2/7/2019) (cf) (Entered: 02/07/2019)
02/07/2019		Set/Reset Deadlines: Responses due by 4/1/2019 Replies due by 4/8/2019. (cf) (Entered: 02/07/2019)
03/14/2019	<u>20</u>	LETTER MOTION for Extension of Time addressed to Judge Paul G. Gardephe from William A. Friedman dated March 14, 2019. Document filed by Osen LLC.(Friedman, William) (Entered: 03/14/2019)
04/04/2019	<u>21</u>	ORDER granting <u>20</u> Letter Motion for Extension of Time. The Application is granted. (Signed by Judge Paul G. Gardephe on 4/4/2019) (cf) (Entered: 04/04/2019)
04/04/2019		Set/Reset Deadlines: Responses due by 4/8/2019 Replies due by 4/15/2019. (cf) (Entered: 04/04/2019)
06/27/2019	<u>22</u>	STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, without prejudice against the defendant(s) United States Department of Commerce, Bureau of Industry and Security and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Osen LLC. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers).. (Friedman, William) (Entered: 06/27/2019)
06/27/2019		***NOTICE TO COURT REGARDING STIPULATION OF VOLUNTARY DISMISSAL Document No. <u>22</u> Stipulation of Voluntary Dismissal,, was reviewed and referred to Judge Paul G. Gardephe for approval for the following reason(s): No. 2 of Stipulaiton. (dt) (Entered: 06/27/2019)
07/02/2019	<u>23</u>	STIPULATION OF DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows: 1. This action is hereby dismissed without prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own fees and costs; 2. Defendant shall not seek costs pursuant to Rule 41(d) in the event that Plaintiff files an action against Defendant based on the same claims as those presented in this action. The Application is granted. SO ORDERED. (Signed by Judge Paul G. Gardephe on 7/1/2019) (jca) (Entered: 07/02/2019)